

EXHIBIT 4

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHEASTERN DISTRICT OF OHIO

3 EASTERN DIVISION

4 IN RE NATIONAL PRESCRIPTION

5 OPIATE LITIGATION

MDL No. 2804

7 This document relates to:

Case

No. 17-md-2804

8 The County of Cuyahoga v.
Purdue Pharma, L.P., et al.,
9 Case No. 18-OP-45090

Judge Dan Aaron
Polster

10 City of Cleveland, Ohio vs.
Purdue Pharma, L.P., et al.
11 Case No. 18-OP-45132

12 The County of Summit, Ohio, et al.,
v. Purdue Pharma L.P., et al.,
13 Case No. 1:18-OP-45004 (N.D. Ohio)

15 The videotaped deposition of DEMETRA

16 ASHLEY, called for examination pursuant to the

17 Rules of Civil Procedure for the United States

18 District Courts pertaining to the taking of

19 depositions, taken at 10 South Wacker Drive,

20 Suite 4000, Chicago, Illinois, on the 15th day of

21 March, 2019, at the hour of 9:16 a.m.

24 Reported by: Gina M. Luordo, CSR, RPR, CRR

25 License No.: 084-004143

1 controlled substances to the folks who need them,
2 but at the same time, minimizing diversion?

3 MR. SHKOLNIK: Objection to form.

4 MS. BACCHUS: Objection. Form.

5 THE WITNESS: I would say it would help to
6 accomplish DEA -- yeah, I would, DEA's mission,
7 yes.

8 BY MR. SCHUTTE:

9 Q. And would you agree with me that
10 communications between the Office of Diversion
11 Control and distributors could help the
12 distributors be more effective in minimizing
13 diversion?

14 A. It would help them better understand our
15 regulations, which would, in turn, help minimize
16 diversion.

17 Q. You testified earlier today that it was in
18 the discretion of the distributors to make the
19 decision whether an order was suspicious and
20 whether to ship, correct?

21 A. Yes.

22 Q. Are other aspects of a distributor's
23 efforts to comply with the suspicious order
24 monitoring system also discretionary? For example,
25 the level of recordkeeping done by a distributor,

1 is that something that's discretionary?

2 A. The level of recordkeeping as -- I'm
3 sorry. Only specific to suspicious orders what
4 records they keep?

5 Q. Let's start with that. Is how the records
6 are kept in connection with suspicious order
7 something that's left to the discretion of
8 distributors just as the decision as to whether an
9 order is suspicious or whether an order should be
10 shipped?

11 A. How the records are kept are left to the
12 discretion of the distributor, yes.

13 Q. Is the documentation of a distributor
14 suspicious order monitoring system how it's -- how
15 it is set up and how it's implemented also
16 something that is in the discretion of the
17 distributors?

18 A. Yes.

19 MR. SCHUTTE: Can we go off the record for like
20 two minutes so I can consult with my cocounsel, and
21 I may be finished.

22 THE VIDEOGRAPHER: We're off the record at
23 4:56 p.m.

24 (Whereupon, a short break was
25 taken.)

1 THE VIDEOGRAPHER: We're back on the record at
2 5:01 p.m.

3 BY MR. SCHUTTE:

4 Q. Ms. Ashley, thank you for your patience.
5 I just have a couple more questions.

6 I was asking a series of questions a
7 moment ago about whether things like recordkeeping
8 and documentation of suspicious order monitoring
9 are in the discretion of the distributors, and you
10 said yes. I want to ask the same questions about
11 whether -- how a distributor conducts its due
12 diligence to determine whether an order is
13 suspicious.

14 Is that something that's in the discretion
15 of the distributor?

16 A. How they conduct --

17 Q. The due diligence.

18 A. Yeah.

19 Q. And is how they document -- strike that
20 and start over.

21 Is how a distributor documents the due
22 diligence it conducts, is that also something
23 that's in the discretion of the distributor?

24 A. How they document it? Okay. Ask the
25 question again.

1 Q. Yes, ma'am. Is how a distributor
2 documents the due diligence it conducts something
3 that's in the discretion of the distributor?

4 A. How they document it? How they do it, I'd
5 have to say, yes.

6 Q. Okay.

7 MR. SCHUTTE: How much time do we have on the
8 record?

9 THE VIDEOGRAPHER: You've been on for
10 25 minutes.

11 MR. SCHUTTE: Total.

12 THE VIDEOGRAPHER: Total is five hours and 22
13 minutes.

14 MR. SCHUTTE: So I believe that the defendants
15 have used five hours and 22 minutes, so we'll
16 reserve the additional hour and eight minutes for
17 redirect after plaintiff is finished. Thank you
18 for your time.

19 MR. SHKOLNIK: We have to go off. I need to
20 switch and get documents. If you don't mind, we'll
21 just take 10 minutes.

22 THE VIDEOGRAPHER: We're off the record at
23 5:02 p.m.

24 (Whereupon, a short break was
25 taken.)